

CONGRESSIONAL RECORD SUMMARY

Thursday, June 27, 2002, Part I

SENATE

Measures Reported:

S. 2037, to mobilize technology and science experts to respond quickly to the threats posed by terrorist attacks and other emergencies, by providing for the establishment of a national emergency technology guard, a technology reliability advisory board, and a center for evaluating antiterrorism and disaster response technology within the National Institute of Standards and Technology, with an amendment. (Senate Report No. 107-186)

S. 2134, to allow American victims of state sponsored terrorism to receive compensation from blocked assets of those states, *with an amendment*.

S. 2633, to prohibit an individual from knowingly opening, maintaining, managing, controlling, renting, leasing, making available for use, or profiting from any place for the purpose of manufacturing, distributing, or using any controlled substance, and for other purposes.

Pages D 696-7, See next issue

Measures Passed:

National Defense Authorization: By 97 yeas to 2 nays (Vote No. 165), *Senate passed S. 2514*, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces, after taking action on amendments proposed thereto.

Pages S 6178-80, S 6182, Continued next issue, D 697

During consideration of this measure, Senate also took the following action:

By a unanimous vote of 98 yeas (Vote No. 164), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill.

Pages S 6183, D 697

Department of Defense Authorization: *Senate passed S. 2515*, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and to prescribe personnel strengths for such fiscal year for the Armed Forces, *after striking all after the enacting clause and inserting in lieu thereof Division A of S. 2514, National Defense Authorization, as amended.*

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Military Construction Authorization: *Senate passed S. 2516*, to authorize appropriations for fiscal year 2003 for military construction, *after striking all after the enacting clause and inserting in lieu thereof Division B of S. 2514, National Defense Authorization, as amended.*

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National Defense Authorization: *Senate passed H.R. 4546*, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, *after striking all after the enacting clause and inserting in lieu thereof the text of S. 2514, Senate companion measure, as amended and passed by the Senate.*

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Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Levin, Kennedy, Byrd, Lieberman, Cleland, Landrieu, Reed, Akaka, Nelson (FL), Nelson (NE), Carnahan, Dayton, Bingaman, Warner, Thurmond, McCain, Smith, Inhofe, Santorum, Roberts, Allard, Hutchinson, Sessions, Collins, and Bunning.

Pages D 697-8, See next issue

Measures Passed (Cont'd.):

Adjournment Resolution: *Senate agreed to S. Con. Res. 125, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.*

Page D 698, See next issue

E-Government Act: *Senate passed S. 803, to enhance the management and promotion of electronic Government services and processes by establishing an Office of Electronic Government within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:*

Page D 698, See next issue

Reid (for Lieberman/Thompson) Amendment No. 4172, in the nature of a substitute.

Page D 698, See next issue

Committee Meetings:

Committee on Governmental Affairs: Committee concluded hearings to examine the relationship between a future Department of Homeland Security and the current federal, state, and local intelligence communities.

Page D 699

Committee on the Judiciary: *Committee ordered favorably reported the following business items: S. 2134, to allow American victims of state sponsored terrorism to receive compensation from blocked assets of those states, with an amendment in the nature of a substitute; S. 2633, to prohibit an individual from knowingly opening, maintaining, managing, controlling, renting, leasing, making available for use, or profiting from any place for the purpose of manufacturing, distributing, or using any controlled substance; and the nomination of Lavenski R. Smith, of Arkansas, to be United States Circuit Judge for the Eighth Circuit.*

Pages D 699-70

Committee on the Judiciary: *Committee concluded hearings on the nominations of Dennis W. Shedd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Terrence F. McVerry, to be United States District Judge for the Western District of Pennsylvania, and Arthur J. Schwab, to be United States District Judge for the Western District of Pennsylvania, after the nominees testified and answered questions in their own behalf.*

Page D 700

Committee Meeting For Friday, June 28, 2002:

Committee on Governmental Affairs: @ 9:30 a.m. To hold hearings to examine how the proposed Department of Homeland Security should address weapons of mass destruction, and relevant science and technology, research and development, and public health issues. SD-342.

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HOUSE

Motions to Adjourn:

Rejected the McNulty motion to adjourn by a recorded vote of 70 ayes to 332 noes, Roll No. 268.
Pages H 4072-3, D 700

H.R. 5010. Department of Defense Appropriations:

The House passed H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 by a yeas-and-nays vote of 413 yeas to 18 nays, Roll No. 270.

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H. Res. 461, the rule that provided for consideration of the bill was agreed to by voice vote.

Pages H 4076, D 700

Suspension:

The House agreed to suspend the rules and pass the following measure that were debated on June 25:

Urging the Ninth Circuit Court of Appeals to Rehear Their Erroneous Ruling That the Pledge of Allegiance is an Unconstitutional Endorsement of Religion: *The House agreed to suspend the rules and agreed to H. Res. 459, expressing the sense of the House of Representatives that Newdow v. U.S. Congress was erroneously decided by a yeas-and-nays vote of 416 yeas to 3 nays with 11 voting "present," Roll No. 273.*

Pages 700-1, See next issue

Earlier, agreed to H. Res. 463, the rule that provided for consideration of the motion to suspend the rules by voice vote.

Page D 701, See next issue

H.R. 5011. Military Construction Appropriations:

The House passed H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003 by a yeas-and-nays vote of 426 yeas to 1 nay, Roll No. 277.

Page D 701, See next issue

The House agreed to H. Res. 462, the rule that provided for consideration of **H.R. 5011** and **S. 2578** by a yeas-and-nays vote of 269 yeas to 160 nays, Roll No. 276. Agreed to the Myrick amendment that made it in order, upon adoption of the rule and without the intervention of any point of order, to consider in the House, **S. 2578**, to amend title 31 of the United States code to increase the public debt limit, by a recorded vote of 219 yeas to 211 noes, Roll No. 275. Earlier, agreed to order the previous question on the amendment and the rule by a yeas-and-nays vote of 221 yeas to 210 nays, Roll No. 274. Pursuant to section 2 of the rule, **H. Res. 421 was laid on the table.**

Page D 701, See next issue

S. 2578. Debt Limit Increase:

The House passed S. 2578, to amend title 31 of the United States Code to increase the public debt limit by a recorded vote of 215 yeas to 214 noes with 1 voting "present," Roll No. 279--*clearing the measure for the President.*

Page D 701, See next issue

Rejected the Moore motion to commit the bill to the Committee on Ways and Means with instructions to report it back forthwith with an amendment in the nature of a substitute that increases the debt limit by \$150 billion by a yea-and-nay vote of 207 yeas to 222 nays, Roll No. 278.

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The bill was considered pursuant to the provisions of **H. Res. 462**, as amended.

Page D 701, See next issue

H.R. 4954. Medicare Modernization and Prescription Drug Act:

The House passed H.R. 4954, to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program and to modernize and reform payments and the regulatory structure of the Medicare Program by a recorded vote of 221 yeas to 208 nays, Roll No. 282.

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Rejected the Gephardt motion to recommit the bill jointly to the Committees on Ways and Means and Energy and Commerce with instructions to report it back promptly with an amendment in the nature of a substitute that establishes the Medicare Prescription Drug Benefit and Discount Act by a recorded vote of 204 yeas to 223 nays, Roll No. 281.

Page D 701, See next issue

Pursuant to the rule, in lieu of the amendment recommended by the Committee on Ways and Means, the amendment in the nature of a substitute printed in H. Rept. 107-552 was considered as adopted.

Page D 701, See next issue

Agreed to H. Res. 465, the rule that provided for consideration of the bill by a yea-and-nay vote of 218 yeas to 213 nays, Roll No. 280.

Page D 701, See next issue

S. Con. Res. 125. Fourth of July District Work Period:

The House agreed to S. Con. Res. 125, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

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Committee Meetings:

Committee on Appropriations: Subcommittee on Legislative approved for full Committee action the Legislative appropriations for fiscal year 2003.

Committee on Financial Services: ***Ordered reported, as amended, H.R. 1701***, Consumer Rental Agreement Act. In regard to the alleged fraud in WorldCom Inc., financial statements, the Committee adopted a motion to subpoena certain WorldCom executives.

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Committee Meetings (Cont'd.):

Committee on the Judiciary: ***Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on "Unpublished Judicial Opinions." Testimony was heard from Ales Kozinski, Judge, U.S. Court of Appeals, Ninth Circuit; Samuel A. Alito, Jr., Judge, U.S. Court of Appeals, Third Circuit and Chair, Advisory Committee on the Federal Rules of Appellate Procedure.***

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on *"The Role of Immigration in the Department of Homeland Security pursuant to H.R. 5005, Homeland Security Act of 2002."*

Page D 702

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Creation of the Department of Homeland Security.

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Committee Meeting For Friday, June 28, 2002:

Committee on the Judiciary, @ 10:00 a.m. Subcommittee on Commercial and Administrative Law, to mark up **H.R. 4561, *Federal Agency Protection of Privacy Act.*** 2141 Rayburn.

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Remarks:

The California Judiciary.

"...I heard earlier speakers address the House and talk of the vacancies, and there are five on the Ninth Circuit, specifically because of the inaction of the Senate; and I would like to associate myself with those who have called for the Senate to take appropriate action. But more importantly here today as a Californian, I want to make it very clear that when we are called the 'left coast,' they are only speaking about our courts; they are only speaking about the insane actions that often come from our judiciary..."

Issa

Page H 4074

Liberal Courts Err Again.

"... Mr. Speaker, the judicial branch of government is out of control. They are making a mockery of our Constitution. The Congress and the President must stand up to the radical activist judges and make things right again..."

Pitts

Pages H 4075-6

Social Security Program Protection Act Of 2002.

Lynch

Page E 1157

Child Obscenity And Pornography Prevention Act Of 2002.

Kucinich

Pages E 1157-8

Police Security Protection Act.

"... I am pleased to help America's law enforcement officers by introducing the Police Security Protection Act. This legislation provides police officers a tax credit for the purchase of armored vests..."

Paul

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Remarks (Cont'd.):

The Medicare RX Drug Benefit And Discount Act.

Rangel

Page E 1161

Dingell

Pages E 1161-2

Stark

Page E 1163

Ninth Circuit Court Of Appeals' Ruling.

"... The court in San Francisco is the most overturned appeals court in the Nation. I am confident that this decision will also be overturned, but to ensure that the Pledge of Allegiance continues to be observed I am introducing legislation to amend the Constitution to ensure the Pledge of Allegiance is constitutionally protected speech..."

Pickering

Page E 1169

Introduction Of The Enhanced Protection Of Our Cultural Heritage Act Of 2002.

*"...The legislation that I am introducing today will increase the maximum penalties for violations of three existing statutes that protect the cultural and archaeological history of the American people, most notably, American Indians. This bill also includes language that will make any attempt to sell Native American human remains a criminal act **The United States Sentencing Commission** recently recommended the statutory changes contained in this bill and these changes complement the Commission's strengthening of Federal sentencing guidelines to ensure more stringent penalties for criminals who steal from public and tribal lands. I am pleased that my colleagues, Representatives Hayworth and Representative Mark Udall have joined me in cosponsoring this important bill..."*

Pallone

Pages E 1170-1

Next SENATE MEETING: Friday, 9:30 a.m., June 28, 2002.

Next HOUSE MEETING: Monday, 2:00 p.m., July 8, 2002.

OLA: S. Schwarz, A. Santos